IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1425 OF 2005

Smt.Hirabai Baliram Bhoir ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Rajan Salvi for Applicant.

Mr.R.Y.Mirza, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 9, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. Learned A.P.P. fairly accepts that there is no direct evidence indicating involvement of the Applicant in the commission of the crime, except the suspicion expressed by the complainant. There

is no other material on record, except the bare words of the complainant about the possibility of involvement of the Applicant. The statement of the co-accused as has been recorded, makes no reference to the fact that Applicant had hired him to murder her own son. Besides, as investigation is complete and Applicant being female and as there are no antecedents against the Applicant, taking overall view of the matter, ends of justice would be met by releasing the Applicant on bail, by imposing strict conditions, as she is already in custody pending trial, for last 22 months. Accordingly, Application is allowed on the following terms :

(a) The Applicant is released on bail in connection with C.R.No.25 of 2003 registered with Taloja Police Station, Panvel, District Raigad, on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two local sureties in the like amount.

(b) The Applicant shall report to the concerned Police Station once in a month on first Saturday of every English Calender month till the

disposal of the trial.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

3. I am informed that in all, there are 15 accused, out of whom, eight accused are already released on bail. In my opinion, therefore, the trial will have to be expedited.

4. The Sessions Judge, Raigad, is directed to assign the case to the Fast Tract Court to ensure early disposal of the trial as ‘High Court Expedited Case’.

5. Application disposed of on the above terms.

6. All concerned to act on an ordinary copy of this order, duly authenticated by the Office.

A.M.KHANWILKAR, J.